

**MINUTES OF THE
NATURAL RESOURCES APPROPRIATIONS SUBCOMMITTEE
February 5, 2007
Room W130, West Office, Building, State Capitol Complex**

MEMBERS PRESENT: Sen. Dennis Stowell, Co-Chair
Rep. Ben Ferry, Co-Chair
Sen. Margaret Dayton
Sen. Mike Dmitrich
Rep. Roger Barrus
Rep. Jack Draxler
Rep. Carl Duckworth
Rep. Kerry W. Gibson
Rep. James R. Gowans
Rep. John G. Mathis
Rep. Michael E. Noel
Rep. Steve Sandstrom

MEMBERS ABSENT: Sen. John Valentine

STAFF: Ivan Djambov, Fiscal Analyst
Diane Obeshaw, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

SPEAKERS: Mary Tullius, Director of Division of Parks and Recreation, Kim Rodella, Governor's Office, Jerry Olds, Director of Div of Water Rights,

Rep. Ferry called the meeting to order at 2:17 p.m.

Members of the Division of Parks and Recreation were introduced and welcomed. They were Gael Hill, Bill Bleak, Irene Hansen, Karl Bentley and Glen Greenhaulgh.

MOTION: Sen. Dayton moved to approve the minutes of January 24, and January 25, 2007
The motion passed unanimously.

Ivan Djambov, Fiscal Analyst, gave a brief overview of the Items for Discussion and Voting and the Wildlife Resources - Fees and the line items that have been changed from previous discussions.

MOTION: Sen. Stowell moved that SITLA's Capital *budget be in a separate line item as recommended by the Fiscal Analyst in Budget Brief - School and Institutional Trust Lands Administration (number NRAS-BB-07-20).*
The motion passed unanimously.

MOTION: Sen. Stowell moved to adopt the General Fund Priority List as presented on page one of the Hand-Out Section.

SUBSTITUTE

MOTION: Rep. Draxler moved that item # 3, Parks; This Is The Place Park, be moved to 4th rank and item #4 Agriculture; Conservation Districts be moved or re-ranked to 3rd rank on the list of the General Fund Priority List. He did this in the form of an amendment. The motion passed with Sen. Dayton voting in opposition of the vote.

MOTION: Sen. Stowell moved to adopt the Non-General Fund Increases as presented on page two of the Hand-Out Section.

SUBSTITUTE

MOTION: Rep. Noel moved to amend item #A15, to be increased to \$257,000 and item #A16 be increased to \$69,000. The motion passed with Rep. Duckworth, Rep. Gowans, and Rep. Ferry voting in opposition of the vote.

MOTION: Sen. Dayton moved to add item #'s A29 to A33 to include funding for the Division of Forestry, Fire and State Lands. Request is from the Division's restricted account. \$175,000 ongoing funds for Full Time Wardens, \$125,000 ongoing funds for Their Urban and Community Forestry Program and \$70,000 ongoing funds for a new Wildlife Fire Coordinator. The motion passed with Rep. Barrus, and Rep. Ferry voting in opposition of the vote.

MOTION: Rep. Gibson moved to amend and add line A30 to include OHV Capital Projects for \$850,000.

Mary Tullius, Director of Division of Parks and Recreation, spoke in favor of this request. She also mentioned that this request was not on the Governor's budget of recommendations, she stated it comes from the registration fees in the OHV restricted fund account as well as some of the gas tax account. She went on to mention the four projects that will benefit from this request. They are for: New trail head facilities at 5-mile pass area, also for their maintenance account, a maintenance building where there's an education component and for 2 Camp grounds for OHV use. This request is coming from the Parks Board through Rep. Gibson.

Kim Rodella, Governor's Office, was asked to speak on whether or not this was part of the Governor's budget and if there was communication between the Governor's office and the Department of Natural Resources regarding this subject. She confirmed that this was in fact a budget request but was not part of the Governor's budget. She stated that when the budget

request was made, there were questions asked and felt that further research was necessary at the time, so the Governor's office did not recommend it. The motion passed with Rep. Ferry in opposition to the vote.

MOTION: Sen. Stowell moved to adopt the Intent Language Approved by Subcommittee 2007 General Session as presented on pp. 3-6 of the Hand-Out Section.

Jerry Olds, Director of Div of Water Rights, commented on how this intent language would impact his department. He stated that if \$100,000 was to be redirected, they would have to re-prioritize and reduce or cut some of the programs they're working on. In the past they had to take people away from processing water right applications, they took people away from automation of their distribution systems, etc. They tried to spread it out so that no one program would be affected too significantly. Mr. Olds also stated that they have a good handle on the water usage in Snake Valley based on the usage from June through September 2006.

Rep. Ferry divided the above motion into separate motions that would separate the old language from the new intent language.

MOTION: Rep. Stowell moved to adopt the intent language from the existing old language on page 1 of the Items for Discussion for Voting. The motion passed unanimously.

MOTION: Rep. Ferry moved to adopt the new intent language on page 5. The motion failed with Sen. Dimitrich in favor of the motion.

MOTION: Rep. Ferry moved to adopt the intent language on page 7. The motion failed with Sen. Stowell in favor of the motion.

MOTION: Rep. Stowell moved to appropriate for FY 2008 \$150,000 one time from the Constitutional Defense Restricted Account to the Public Policy Coordination Office with the following intent language: *It is the intent of the Legislature that the Public Lands Policy Coordination Office expend up to \$150,000 to defend, through litigation or other means, the statewide policies established in Subsection 63-38d-401(6)(m), specifically to maximize the protection of grazing rights and privileges on public lands and to oppose relinquishment of grazing animal units months on public lands. It is also the intent of the Legislature that this \$150,000 be expended from that portion of the Constitutional Defense Restricted Account funded by transfers under Section 53C-3-202.* The motion passed with Sen. Stowell and Rep. Gowans voting in opposition to the motion.

MOTION: Sen. Stowell moved to adopt the fee changes for the Division of Wildlife Resources. He also moved to adopt all other fees as presented by the Fiscal

Analyst in January 2007 which includes the fees for the Department of Agriculture. The motion passed unanimously.

MOTION: Sen. Stowell moved to adopt the Nonlapsing Funds as presented in Issue Brief - Nonlapsing Funds (number NRAS-IB-07-09) found in Tab 3.
The motion passed unanimously.

MOTION: Sen. Stowell moved to adopt the Federal Funds as presented in Issue Brief - Federal Funds DNR (number NRAS IB-07-07) and Issue Brief - Federal Funds - Agriculture (number NRAS-IB-07-07) found in Tab 3.
The motion passed unanimously.

MOTION: Sen. Dmitrich moved to adopt the new language on page 6.
The motion passed unanimously.

MOTION: Sen. Dayton moved to adjourn the meeting at 4:15 p.m.
The motion passed unanimously.

Rep. Ben Ferry, Co-Chairman

Sen. Dennis Stowell, Co-Chairman

